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SENATE BILL 938

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Carroll H. Leavell

AN ACT

RELATING TO THE FIRE PROTECTION FUND; ESTABLISHING A TOTAL BASE AMOUNT FOR DISTRIBUTION; PROVIDING FOR THE DISTRIBUTION OF ADDITIONAL AMOUNTS ADDED TO THE TOTAL BASE DISTRIBUTION; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 59A-53-5.1 NMSA 1978 (being Laws 1998, Chapter 76, Section 3) is amended to read:

"59A-53-5.1. [~~MAXIMUM AMOUNTS TO BE CERTIFIED~~] BASE DISTRIBUTION--ADDITIONAL AMOUNTS. --

A. For fiscal year 2000 and each fiscal year thereafter, the marshal shall certify a total base amount pursuant to Sections 59A-53-4 and 59A-53-5 NMSA 1978 not to exceed the greater of the total distribution pursuant to those sections for the previous fiscal year or an amount to be

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1 determined by adding:

2 (1) one-half of the total increase in the fire  
3 protection fund receipts in the previous fiscal year minus one-  
4 half of the appropriations, from all sources, to the volunteer  
5 firefighters retirement fund in the current fiscal year; and

6 (2) the total distribution pursuant to  
7 Sections 59A-53-4 and 59A-53-5 NMSA 1978 for the previous fiscal  
8 year.

9 B. The marshal shall adjust the distributions for  
10 each class in proportion to the increase in the total base  
11 distribution.

12 C. An additional amount may be added to the total  
13 base distribution to:

14 (1) compensate fire departments and county  
15 fire districts that have improved their qualified status in  
16 accordance with Sections 59A-53-4 and 59A-53-5 NMSA 1978 by:

17 (a) an improved class insurance rating;

18 (b) the addition of a certified fire  
19 station or substation; or

20 (c) the reclassification of a substation  
21 to a fire station as provided by rule;

22 (2) fund any additional amount granted to a  
23 fire department or county fire district through the appeals  
24 process provided in Section 59A-53-6 NMSA 1978; or

25 (3) fund new fire departments or county fire

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1 districts during the fiscal year that complete their probation  
2 and qualify for pro rata funding and have received an initial  
3 pro rata distribution pursuant to Section 59A-53-16 NMSA 1978. "

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